BILL NO. Z-76-09-/0

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ZONING MAP ORDINANCE NO. Z-22-76

AN ORDINANCE fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Pursuant to Section 34 of ARTICLE VIII of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as enacted by General Ordinance No. G-39-65 passed on September 10, 1965 and approved by the Mayor on September 13, 1965, the following area is hereby designated as a Historical District, as established by Section 9 of said Chapter 36 as amended accordingly:

Canal House, more particularly described as follows:

114 E. Superior Street. The East 20' of the North 52.3' fractional of Lot 21 and the West 26.1' of the North 52.3' of Lot 22 of the original Plat of the City of Fort Wayne, Indiana, Key Number 91-3572-5251, Page 73, Northwest Section Book, Wayne Township Assessor's Office.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Muckel

APPROVED AS TO FORM AND LEGALITY,

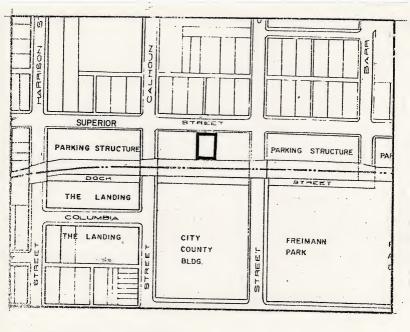
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| Read the first time in full and on motion by Juckey, seconded by | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| U. Sulnish, and duly adopted, read the second time by title and referred | | | | | | | | |
| to the Committee on General (and the City Plan Commission for | | | | | | | | |
| recommendation) and Public Hearing to be held after due legal notice, at the Council | | | | | | | | |
| Chambers, City-County Building, Fort Wayne, Indiana, on the day | | | | | | | | |
| ofo'clock P.M.,E.S.T. | | | | | | | | |
| DATE: 9-14-76 Shules Utulinaria | | | | | | | | |
| Read the third time in full and on motion by | | | | | | | | |
| seconded by, and duly adopted, placed on its passage. | | | | | | | | |
| PASSED (LOST) by the following vote: | | | | | | | | |
| AYES NAYS ABSTAINED ABSENT TO-WIT: | | | | | | | | |
| TOTAL VOTES | | | | | | | | |
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| SCHMIDT, D. | | | | | | | | |
| SCHIMDT, V. | | | | | | | | |
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| TALARICO | | | | | | | | |
| DATE: 12-14-76 Charle Markon and | | | | | | | | |
| Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, | | | | | | | | |
| as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) | | | | | | | | |
| 22.14 | | | | | | | | |
| ORDINANCE (RESOLUTION) No. 3-22-76 on the 150 day of 1976. ATTEST: (SEAL) | | | | | | | | |
| CITY CLERK BRESIDING OFFICER | | | | | | | | |
| Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the | | | | | | | | |
| day of December, 1976, at the hour of //. Octock A. M., E.S.T. | | | | | | | | |
| | | | | | | | | |
| CITY CLERK | | | | | | | | |
| Approved and signed by me this | | | | | | | | |
| at the hour of | | | | | | | | |
| Kapet Ellimstrong | | | | | | | | |

Jest)

| Bill No. | Z-76-09-10 | | | | | | |
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| We, your | Committee on | Regulatio | ns | to whom | was refer | red an Ordina | ince |
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| Vivia | an G. Schmidt | | | - | loven |) N. M. | Smedt |
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| | ld J. Schmidt | | | (| 2 Dilmi | W. | |
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| | | 12-19-10 | CONCURR | | | | |

BATE CHARLES W. WESTERNAM, EHTY ELERK



THE CANAL HOUSE - Historic Site

2-76-09-10

PETITION FOR ZONING ORDINANCE AMENDMENT . Receipt No. Date Filed TO -COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA Intended Use _ HISTORICAL DISTRICT CITY OF FORT WAYNE (BOARD OF PUBLIC WORKS) (Applicant's Name or Names) do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an ____ district to a/an district the property described as follows: ESTABLISH A HISTORICAL DISTRICT CANAL HOUSE - 114 E. Superior St. The east 20 feet of the north 52.3 feet Fractional of Lot # 21 and the west 26.1 feet of the north 52.3 feet of Lot # 22 of the Original Plat of the City of Fort Wayne, Key Number 91-3572-5251, Page 73, Northwest Section Book, Wayne Township Assessor's Office. (Legal Description) (General Description for Planning Staff Use Only) I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition. (Name) (Address) (Signature) Legal Description Checked By: (City Engineer) NOTE FOLLOWING RULES: All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. Name and address of preparer, attorney or agent: CITY PLAN COMMISSION (Address) (Telephone Number) (Name)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

LEGAL DESCRIPTION OF THE "CANAL HOUSE," 114 E. SUPERIOR ST.

THE EAST 20' OF THE NORTH 52.3' FRACTIONAL OF LOT 21 AND THE WEST 26.1' OF THE NORTH 52.3' OF LOT 22 OF THE ORIGINAL PLAT OF THE CITY OF FORT WAYNE, KEY NUMBER 91-3572-5251, PAGE 73, NORTHWEST SECTION BOOK, WAYNE TOWNSHIP ASSESSORS OFFICE.



August 26, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution of the City Plan Commission, passed at their regular meeting held August 23, 1976. This resolution concerns a proposed ordinance establishing the CANAL HOUSE - 114 E. Superior Street, as a Historical Site.

Respectfully submitted,

ph n. Odan

Certified and signed this 26th day of August, 1976.

Joseph N. Adair Secretary



RESOLUTION FOR ESTABLISHING HISTORICAL DISTRICT

WHEREAS, the City Plan Commission, at their regular meeting, held August 23, 1976, proposed to prepare an ordinance for the establishment of the "CANAL HOUSE" as a historical district.

WHEREAS, this action was taken by the City Plan Commission following consultation with the Mayor's Commission on Preservation and Restoration of Historical Landmarks, and the Allen County-Fort Wayne Historical Society.

WHEREAS, a forthcoming ordinance will be submitted to the City Council, for introduction and action, establishing the "CANAL HOUSE" as a Historical District:

NOW THEREFORE, BE IT RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1976.

Certified and signed this 26th day of August, 1976.

> Joseph N. Adair Secretary

reph n. adair

15 December, 1975

Ms. Vivian Schmidt Councilwoman-at-Large City County Fuilding One Main Street Fort Wayne, Indiana

Dear Councilwoman Schmidt:

Please consider this a formal petition to nominate the "Canal House," the small stone structure on the south side of Superior Street between Calhoun and Clinton Streets, as a historic district as provided by the Zoning Ordinance of the City of Fort Wayne.

The structure was built in the early 1850's by one John Brown, a stonemeson, and it constitutes the sole reminder of the lifestyle of the independent craftsman, so instrumental to the development of Fort Wayne in the 19th Century. The 'Canal House' is a major project of the Fort Wayne Bicentennial Commission, and efforts are presently under way to raise funds for adaptive re-use of the structure.

Please advise me of the date when this petition will be discussed before the City Plan Commission so that I can present evidence to justify this request.

Sincerely,

Karen Anderson

cc: Ms. Ladonna Huntley
Mr. Thomas Alter
Mr. Kenneth Cole
Dr. Gerold Poswell
Mr. Geny Paeten
Mayor Tvan A. Letanoff
Mayor-elect Pobert Amstrons

Mr. John P. Fishwick

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

HISTORICAL DISTRICT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, osptember 14, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-09-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 11, 1976; and,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular-meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Dommission held October 18, 1976.

Certified and signed this 29th day of October, 1976.

Joseph N. Adair
Secretary



City Clerk Memorandum CHARLES W. WESTERMAN, Clerk

| То | Mayor Robert E. Armstrong | Date 11-10-76 | |
|---------|-------------------------------------|-------------------|--|
| From | Charles W. Westerman - City Clerk | | |
| Subject | Appearance before Common Council on | November 16, 1976 | |

COPIES TO:

BILL NO. Z-76-09-08

AN ORDINANCE fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly

BILL NO. Z-76-09-10

AN ORDINANCE fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly

Pursuant to the request of the Standing Committee Chairman of Regulations of the Common Council, the presence of a member of City Plan familiar with the above ordinances is respectfully requested on November 16, 1976, at 7:30 o'clock P.M., Room 128. Common Council Conference Room.

Specifically, Council would like a more detailed explanation regarding the above ordinances. They would appreciate any materials or exhibits pertinent to the above bills so that they may be able to make a decision as to what action should be taken.

Your cooperation will be greatly appreciated.



City Clerk Memorandum

To Karen Anderson - Arch, Inc., Date 11-30-76

Subject Appearance before Common Council on December 14, 1976 - 7:00 P.M.

COPIES TO:

BILL NO. Z-76-09-10

AN ORDINANCE fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly

Pursuant to the request of Common Council, your appearance is respectfully requested on December 14, 1976, 7:00 o'clock P.M., Room 128. Common Council Conference Room.

They would like at that time to take the opportunity to discuss the above ordinance so that they may be able to make a decision as to what action should be taken.

Council is particularly interested in obtaining the following information:

- 1. How will the Canal House be financed?
- Is the city obligated for any of the financing?
- If Arch is no longer able to support or take care of the Canal House -- will the city have to resume all responsibility regarding financing and upkeep.

Your cooperation will be greatly appreciated.

3309

Number assigned by Bill Salin's office: # 3309

DIGEST SHEET

| TITLE OF ORDINANCE district. |
|--|
| DEPARTMENT REQUESTING ORDINANCE CITY PIAN COMMISSION SYNOPSIS OF ORDINANCE Petitioners (Arch, Inc.,) requesting the following described property be established as a historical site: |
| CANAL HOUSE - 114 E. Superior Street - The east 20 feet of the north |
| 52.3 feet of Lot # 21 and the west 26.1 feet of the north 52.3 feet of |
| Lot # 22 Original Plat. |
| |
| |
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| |
| EFFECT OF PASSAGE Preservation of historical site and structure. Alteration or destruction of said structure must be approved by the Mayor's Commission on the Preservation and Restoration of Historical Lankmarks, the Allen County-Fort Wayne Historical Society and the Board of Zoning Appeals. |
| EFFECT OF NON-PASSAGESite and structure is subject to demolition. |
| |
| MONEY INVOLVED (Direct Costs, Expenditures, Savings)none |
| ** |
| |
| ASSIGNED TO COMMITTEE (J.N.) Regulation plan |



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

December 16, 1976

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of December 20 & 27, 1976, in both the News Sentinel and the Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana

Bill No. Z-76-09-10 Zoning Map No. Z-22-76

Bill No. Z-76-10-39 Zoning Map No.Z-23-76

Bill No. Z-76-09-08 Zoning Map No. Z-21-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers. Thank you.

Charles W. Westerman City Clerk

CWW/ne ENCL: 3



| Form Prescribed | by State Board of Accou | unts | | | | |
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| Fort Wayne K | Vernmental Unit) | il | то | HE NEWS-SE | TINEL | Dr. |
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| | len County, | , Ind. | | Ott Walley | 11017401 | |
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| | | | proof in excess or | two) | | 25.85 |
| Notice is hereby given that on the 14th day of December, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the tollowing Bill No. 2-7-69-10, Z-22-76 Zoning Map Ordinance, to wit: | TOTAL AMOUNT OF | CLAIM | | 5 | | \$20,00 |
| did pass the following Bill No. Z-76- 09-10, Z-22-76 Zoning Map Ordinance, to wit: | TING COST | | | | | |
| To With Blick No. 2-56-91. ZONING MAP ORDINANCE SONING MAP ORDINANCE Is listing the location of a certain Historical District India of a certain Historical District Zonling Map accordingly. Bell To ROANNED BY THE COM- MON COUNCIL OF THE CITY OF FORT WAYNE, MIDIANA: SECTION 1. Pursuant 10 Section 34 ARTICLE VIII of Chapter 36 of the | f single column kems | | Size of type5 | point | | |
| and amending the City of Fort Wayne Zoning Map accordingly. BE IT ORDAINED BY THE COM- | of insertions 2 | | a' | | =1 | |
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| passed on September 10, 1965 and ap- proved by the Mayor on September 13, 1965, the tollowing area is hereby | t the foregoing account | t is just and correct, that | the amount claim | ed is legally d | ue, after allov | wing all just |
| designated as a Historical District, as established by Section 9 of said Chap- ter 36 as amended accordingly: Canal House, more particularly de- | | • | | | Serk | |
| scribed as follows: 114 E. Superior Street. The East 20' of the North 52.3' fractional of Lot 21 | | | | | | |
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| west Section Book, Wayne Township Assessor's Office. SECTION 2. This Ordinance shall be in full force and effect from and | | PUBLISHER'S AF | FIDAVIT | | | |
| after its passage, approval by the Mayor and Legal publication thereot. JOUN NUCKOLS | | ALLEN County } ss: | | | | |
| Read the third time in full and on- motion by Nuckois, seconded by | | Personally appeared bei | V.E. GERKEN | v | ho, being duly | sworn, says |
| Hinga, and duly adopted, placed on its passage. PASSED by the tollowing vote: | | that she is | CLERK | | | of the |
| Ayes: Nine Burns, Hinga, Hunter, Moses, Nucols, D. Schmidt, V. Schmidt, Stier, Talarico | | DAILY | | of general circul | | |
| Date: 12-14-76 Charles W. Westerman | H COPY OF | *************************************** | | | | |
| Passed and adopted by the Com- mon Council of the City of Fort | SEMENT HERE | in the English language in state and county afore | said, and that the p | rinted matter at | ached hereto is | s a true copy, |
| nance No. Z-22-76 on the 14th day of December, 1976. | | which was duly published as follows: | in said paper for | 2_time_S_, th | e dates of publ | lication being |
| Charles W. Westerman City Clerk | | | 12/20-27/ | 76 | - Said | N. E. |
| Presented by me to the Mayor of | | | | 7 | 2 / / / | Z. N. |
| the 15th day of December, 1976, at the hour of 11:00 o'clock A.M., E.S.T. | | Subscribed and sworn to | hetone me this 27 | th and a | Dependen | 05.276 |
| Meest, Nicoty D. Schmidt, V. Nay: Noor Delt: 12-15. Delt: | | | THE PLANTAGE CONTRACTOR | ott. | June maker | |
| hour of 2:00 o'clock P.M., E.S.T. Robert E. Armstrong | | My commission expires | Sentember 25 | | y Public | |
| I, Charles W. Westerman, Clerk of the City of Fort Wakne, Indiana, do hereby certify that the above and | | A COMMISSION EXPITES | -agreember 20 | , 1717 | - Ma | |
| hereby certity that the above and toregoing is a full, true and complete | | | | | 1900 | - Carrier |
| treegory Certify that the above and toregoing is a tuil, frue and complete copy of Zoning Map Ordinance No. Z. 22-76 passed by the Common Council on the 14th day of December, 1976, and that said Ordinance was duly signed and appropriate by the Market | | | | | | |
| the 15th day of December 1934 on | | | | | | |
| my office. WITNESS my hand, and the official | | | | | | |
| now remains on tile and on record in my office. WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of December, 1976. CHARLES W. WESTERMAN City Clerk | | | | | | |

| cort wayne | EXXX Common Coun | | THE NEWS- | SENTINEL | Dr |
|--|---|---|---|--|--------------|
| | (Governmental Unit) | ICHT. | To THE NEWS- | | Dr |
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| Section Book, Wayne T sor's Office. TION 2. This Ordinar full force and effect 6 | Fownship nce shali | | Indiana } ss: | | | | |
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| sed and adopted by the Council of the City e, Indiana, as Zoning M: No. Z-22-76 on the 14th mber, 1976. | H COPY OF thy Clerk 3EMENT HERE the Com- of Fort asp Ordi- n day of | which w | as duly published ws: | in said paper for 12/20-27/76 | 2 times, the | dates of pub | lication being |
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| Presiding ented by me to the A ty of Fort Wayne, Ind h day of December, 197 f 11:00 o'clock A A | n Officer Mayor of Jana, on 6, at the S.T. | Subscrit | ed and sworn to | before me this | 27th my or | econher 8 | Not d |
| Charles W. We Cl roved and signed by lay of December, 1976. | sterman fy Clerk me this . at the | | | | Han | | N May |
| f 2:00 o'clock P.M., E.S Robert E. Ar harles W. Westerman, | mstrong Mayor Clerk of | My com | mission expires | September 2 | 8, 1979 | 20 | |
| y of Fort Wakne, Ind certify that the abc ing is a full, frue and c ing is a full, frue and f Zoning Map Ordinanc assed by the Common 14th day of Decembe | iana, do over and over and ove | | | | | | - Andrews |

| Form Prescribed by State Boa | rd of Accounts | General Form No. 99 | P (Rev. 1967 |
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| Ft. Wayne Common Cou (Governmental | ncil | To. JOURNAL-GAZETTE | Dı |
| | 7 8 | FORT WAYNE, INDIANA | |
| Allen | County, Ind. | FORT WATNE, INDIANA | |
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| COMPUTION OF CHARGES | | | |
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| 94 lines, 1 cents per l | columns wide equals94 | equivalent lines at259¢ | \$ 24.35 |
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| Pursuant to the provision and p | enalties of Ch. 89, Acts 1967, | | |
| I hereby certify that the foregoi credits, and that no part of the s | ng account is just and correct, that | the amount claimed is legally due, after allo | wing all just |
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| t. Here, they're auto d sacked for the fir | undersigned | ore me, a notary public in and for said county ARVILLA DEWALD who, being du | and state, the |
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| 3.25 | O-1 | - Utvilla III | Sold |
| 55 986 | Subscribed and sworn to | before me this 27th day of Dec en | 19.00 |
| d and signed by me this of December, 1976, at the | | Notary Public | 10 |
| O'clock P.M., E.S.T. Robert E. Armstrong | My commission expires | September 28, 1979 | * |
| s W. Westerman, Clerk of Fort Wakne, Indiana, do | | | The Sales of |
| | | | |